

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff(s),

CASE NUMBER: 10-20136
HONORABLE VICTORIA A. ROBERTS

v.

SEAN DONNELLY,

Defendant(s).

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

On August 4, 2010, Magistrate Judge R. Steven Whalen submitted a Report and Recommendation (Doc. #28) recommending that the Court DENY Defendant's "Motion to Dismiss Count One of the Indictment." (Doc. #19).

The Court has not received objections from either party within the time frame provided for in 28 U.S.C. §636(b)(1) and Fed. R. Civ. P. 72(b)(2).

The Magistrate Judge's Report and Recommendation is **ADOPTED**.

Defendant's motion is **DENIED**.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: August 25, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 25, 2010.

s/Carol A. Pinegar _____
Deputy Clerk